

INTERVENTION



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GUST ROSENFELD P.L.C.
One E. Washington, Suite 1600
Phoenix, Arizona 85004-2553
602-257-7422 Fax 602-254-4878
David A. Pennartz – 006429
dpennartz@gustlaw.com
Landon W. Loveland – 024033
lloveland@gustlaw.com

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AZ CORP COMMISSION
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Arizona Corporation Commission

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MAR 19 2014

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Attorneys for City of Sedona

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

BOB STUMP, Chairman

GARY PIERCE

BRENDA BURNS

BOB BURNS

SUSAN BITTER SMITH

ORIGINAL

IN THE MATTER OF THE
APPLICATION OF ARIZONA PUBLIC
SERVICE COMPANY'S APPLICATION
FOR APPROVAL OF AUTOMATED
METER OPT-OUT SERVICE
SCHEDULE 17

Docket No. E-01345A-13-0069

**CITY OF SEDONA'S MOTION TO
INTERVENE**

Pursuant to Rule 14-3-105 of the Arizona Corporation Commission Rules of Practice and Procedure, the City of Sedona ("Sedona") moves to intervene in this matter and states the following:

1. Sedona is an Arizona municipal corporation.
2. Sedona and its citizens are customers of Arizona Public Service Company ("APS") and receive electrical power for residential and non-residential purposes and uses from APS as a public service corporation under regulation of the Arizona Corporation Commission, under Art. 15, Sec. 2 and 3, Ariz. Const., and Title 40, of the

1 Arizona Revised Statutes. Sedona and its residents will be directly and substantially
2 affected by a Decision or Order of the Commission on APS' Application for approval
3 of "opt-out" up-front and monthly charges and other terms ("Opt-Out Terms") that
4 would apply under APS' proposed "Schedule 17", submitted with the Application
5 ("Application").

6 3. The Mayor and Council of the City of Sedona are the locally elected
7 representatives of the citizens and governing body of the City. As elected officials, the
8 Council has the right to speak on behalf of and advocate for its citizens, many of whom
9 have requested the Council to intervene on their behalf in these proceedings.

10 4. Sedona and its citizens have serious concerns about the proposed Opt-Out
11 Terms and whether the requested charges in proposed Schedule 17 are set in amounts
12 that would recover reasonable and actual costs or are excessive. Some of the other
13 terms on Schedule 17 are plainly unlawful and represent overreaching by APS in its
14 exercise of the monopoly power provided by the State only in the public interest.

15 5. The "Opt-Out" Terms proposed in the Application by APS apparently are
16 to apply to non-residential electric customers, including Sedona, although that is not
17 clear in the Application. Any Decision and Order on the Application by the
18 Commission should plainly allow residential and non-residential customers to choose
19 to keep their existing service rather than being forced by APS to convert to "Smart
20 Meters".

21 6. No procedural order has yet been entered.

22 7. Sedona's intervention will not broaden or unduly delay the proceedings.
23 Sedona is best suited to represent its position and its citizens in this proceeding, to
24 avoid multiple interventions by concerned Sedona citizens who may not have the
25 means to do so for themselves. Therefore, it is both necessary and proper that Sedona
26

1 intervene in this proceeding and will serve the interests of economy of the Commission
2 and its staff..

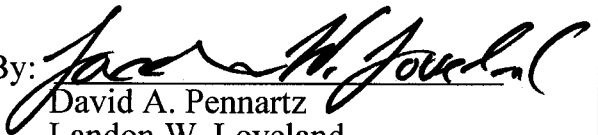
3 For the foregoing reasons, Sedona requests the Commission grant its Motion for
4 Intervention.

5 The name(s), mailing address and telephone number of the person(s) upon whom
6 service of all documents is to be made is:

7 David A. Pennartz
8 Landon W. Loveland
9 GUST ROSENFELD P.L.C.
10 One East Washington, Suite 1600
11 Phoenix, Arizona 85004
12 (602) 257-7422

13 RESPECTFULLY SUBMITTED this 19th day of March, 2014.

14 GUST ROSENFELD P.L.C.

15 By: 
16 David A. Pennartz
17 Landon W. Loveland
18 Attorneys for Town of Sedona

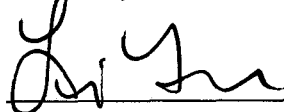
19 ORIGINAL AND THIRTEEN COPIES
20 of the foregoing filed this 19th day
21 of March, 2014 with:

22 Docket Control
23 Arizona Corporation Commission
24 1200 West Washington
25 Phoenix, Arizona 85007

26 COPIES of the foregoing hand delivered/
mailed this 19th day of March, 2014 to:

Thomas L. Mumaw
Melissa M. Krueger
Pinnacle West Capital Corporation
400 North 5th Street,
MS 8695
Phoenix, Arizona 85004
Attorneys for Arizona Public Service

- 1 Patty Ihle
304 East Cedar Mill Road
- 2 Star Valley, Arizona 85541
- 3 Tyler Carlson
P.O. Box 1045
- 4 Bullhead City, Arizona 86430
- 5 Lewis Levenson
1308 East Cedar Lane
- 6 Payson, Arizona 85541
- 7 Patricia Ferre
P.O. Box 433
- 8 Payson, Arizona 85547
- 9 Michael Curtis
501 East Thomas Road
- 10 Phoenix, Arizona 85012-3205
- 11 Charles Moore
1878 West White Mountain Boulevard
- 12 Lakeside, Arizona 85929
- 13 Warren Woodward
55 Ross Circle
- 14 Sedona, Arizona 86336
- 15 Clara Marie Fritz
60 Roca Roja Road
- 16 Sedona, AZ 86531
- 17 Steve Olea
Arizona Corporation Commission
- 18 1200 West Washington
- 19 Phoenix, Arizona 85007
- 20 Janice Alward
Arizona Corporation Commission
- 21 1200 West Washington
- 22 Phoenix, Arizona 85007
- 23 Lyn Farmer
Arizona Corporation Commission
- 24 1200 West Washington
- 25 Phoenix, Arizona 85007-2927

26 

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